

Panaji, 9th December, 1982 (Agrahayana 18, 1904)

SERIES II No. 37

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Works, Education and Tourism Department
Directorate of Education

Memorandum

No. DE/Acad.I/NEZ-Bi/9/SMHS/Vol.III/82/4669

Whereas during the past one year a number of complaints have been received by the Government pointing out mis-Management of the affairs of Mahamaya High School, Mayem-Bicholim and,

Whereas a detailed enquiry was conducted by the Department and the enquiry Officer has reported that there is continuing discord among the Managing Committee members of the school, as a result of which there are serious irregularities, gross negligence in attending to day to day duties on the part of the Management and there is also an air of frustration, dis-satisfaction and unrest among the staff members and as such the quality of instruction in the school has rapidly deteriorated much to the detriment of education of the students and,

Whereas on an inspection of the school records it is found that the functioning of the school is not as per the rules and

regulations of the Grant-In-Aid Code and the institution as a whole is a sick unit and,

Whereas the school is found to have inadequate accommodation, inadequate furniture, insufficient Lab. equipment and is lacking in Library books and,

Whereas the students boycotted the classes in protest against the inadequate facilities and unqualified staff, lack of play ground and playing materials,

Now, therefore the Government has been constrained to invoke the provisions of rule 178 of Grant-In-Aid Code and to take over the Management of the said school for a period of one year in the first instance which may be extended for a further period at the discretion of the Government, as per terms and conditions laid down in rule 178 of Grant-In-Aid Code. The Chairman Vijayananda Dnyanaprasarak Sauntha, Mayem is therefore called upon to Show Cause, within 10 days of the receipt of this Memorandum, as to why the Management of the Mahamaya High School should not be taken over by the Government for a period of one year in terms of rule 178 of Grant-In-Aid Code. If no reply is received within the stipulated time it will be presumed that the Management has nothing to say in the matter and action as proposed, will be taken.

By order and in the name of the Administrator of Goa, Daman and Diu.

Rakesh Mohan, Director of Education and Ex-Officio Additional Secretary to Government.

Panaji, 30th November, 1982.

Revenue Department

Notification

No. 22/142/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of New Bus Terminus at Vadem, Vasco-da-Gama.

And Whereas in the opinion of Government the provisions of sub-section (1) of Section 17 of the Land Acquisition Act, 1894 (hereinafter referred to as the said Act) are applicable.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

The Government is pleased to direct under sub-section (4) of Section 17 of the said Act the provisions of Section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon

without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector, South Sub-Division, Margao to perform the functions of a Collector under the said Act, in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section (4) of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector, South Sub-Division, Margao.
3. The Director of Transport, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector, South Sub-Division, Margao, from the date of publication of this Notification in the Official Gazette.

SCHEDULE
(Description of the said land)

Taluka	Village	P.T.S. No.	Chalta No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Mormugao	Vasco-da-Gama	70	1/1	O: Comunidade. T: Anand Sitaram Arobdekar.	2700.00
			1/2	O: Comunidade. T: Constancio Piedade.	2625.00
			1/3	O: Comunidade. T: Socorro Vaz.	2650.00
			1/4	O: Comunidade. T: Allino Gregorio Gomes.	3400.00
			1/5	O: Comunidade. T: Antonio Gomes.	1750.00
			1/6	O: Comunidade. T: Babal Yeshwant Naik.	4350.00
			1/7	O: Comunidade. T: Socorro Vaz.	2350.00
			1/8	O: Comunidade. T: Francisco Xavier de Rosario.	3950.00
			1/9	O: Comunidade. T: Roque Patricio Gomes.	2725.00
			1/10	O: Comunidade. T: Izabel Gomes.	2550.00
			1/11	O: Comunidade. T: Zacarias de Rosario.	2525.00
			1/12	O: Comunidade. T: Albrino Gregorio Gomes.	2950.00
			1/13	O: Comunidade. T: Pedro Antonio Pereira.	3000.00
			1/14	O: Comunidade. T: Rosa Quinteria Souza.	2500.00
			1/15	O: Comunidade. T: Constancio Pegado.	2550.00
			1/16	O: Comunidade. T: Roberto Gonsalves.	2300.00
			(Part) 1/17	O: Comunidade. T: Antonio Gomes.	2400.00
			(Part) 1/18	O: Comunidade. T: Albrino Gregorio Gomes.	2650.00
			Part 1/19	O: Comunidade. T: Roque Patricio Gomes.	2300.00
			Part 1/20	O: Comunidade. T: Fransquinho Pereira e Gomes.	2250.00
			Part 1/21	O: Comunidade. T: Roque Patriciano Gomes.	2400.00

North: Chalita No. 1, 36/S.D4 & Nalla

P. T. Sheet No. 631.

Chalta No. 1/Sub-Div. 16, 17, 18, 19, 20 & 21

P. T. Sheet No. 70.

Chalta No. 16, 24.

P. T. Sheet No. 71.

South: Road, Chalita No. 103, 104, 105, 106, 107.

P. T. Sheet No. 92.

Chalta No. 21, 20, 17, 13, 10, 11 of P. T. Sheet No. 70.

Chalta No. 29 of P. T. Sheet No. 91.

East: Chalita No. 2 & 8 of P. T. Sheet No. 70 and Nalla.

West: Chalita No. 16 of P. T. Sheet No. 17.

Chalta No. 1 of P. T. Sheet No. 63.

Chalta No. 25 & 29 of P. T. Sheet No. 91 and Nalla.

Total 57375.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Revenue-I).

Panaji, 30th November, 1982.

Notification

No. 22/127/82-RD

Whereas by Government Notification No. 22/127/82-RD dated 2-12-1982, published on page 487 and 488 of Series II, No. 36 of the Official Gazette dated 4-12-82 it was notified under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the said Act") that the land, specified in the schedule appended to the said Notification (hereinafter referred to as the "said land") was likely to be needed for public purpose viz. for widening of road from Porvorim water Tank to Aguada Hotel at Sangolda (PHASE-I) Part-III.

And Whereas the appropriate Government (hereinafter referred to as "the Government") is satisfied after considering the report made under sub-section (2) of Section 5A of the said Act, that the said land specified in the schedule hereto is needed to be acquired for the public purpose specified above.

Now, Therefore the Government is pleased to declare under the provisions of Section 6 of the said

Act that the said land is required for the public purpose specified above.

And Whereas the Government is of the opinion that its acquisition is urgently necessary.

The Government is also pleased to direct under sub-section 1 of Section 17 of the said Act, that the Collector appointed under paragraph 2 below, shall at any time on expiry of 15 days from the publication of notice relating to the said land under sub-section 1 of Section 9 of the said Act, take possession of the said land.

2. The Government is also pleased to appoint under clause (c) of Section 3 of the said Act, the Deputy Collector (Land Acquisition Officer), Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land and to direct him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Deputy Collector, Land Acquisition Officer, Panaji till the award is made under Section 11.

SCHEDULE

(Description of the said land)

Sr. No.	Taluka	Village/Ward	Survey No.	Sub-Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6	7
	Bardez	Sangolda	21	28	Caetano D'Sa.	4.00
				27	Comunidade Sangolda.	8.00
				25	Urbano Diogo Pereira.	26.00
				24	Franklin Noronha.	6.00
				39	Antonio Sebastiao Pereira.	2.00
				19	Franklin Noronha.	12.00
				18	Ruzai Salvador Gomes.	24.00
					Isabela Gomes.	
				16	Joseph Edward Fernandes.	27.00
					Julias Antonio Fernandes.	10.00
					Jovins Diago F. Fernandes.	
					Eithina Rosario Fernandes.	
				15	Anna Sequeira.	
					Louresco Sequeira.	
				14	Domingo Martin Pereira.	18.00
				13	Urban Pereira.	7.00
					Emilia Das Santos Pereira.	
				10	Caetano Pereira.	30.00
				8	Cyril D'Souza.	17.00
			25	17	Vincent Xavier Menezes.	5.00
				16	Emelia Pereira.	11.00
					Inacia Pereira.	
				15	Emelia Pereira.	12.00
				14	Inacia Pereira.	150.00
				13	Inacia Pereira.	28.00
				11	Santana Menezes.	8.00
Boundaries:						
North: Road.						
South: S. No. 92, Sub-Div. No. 5,4,3,2, and 1, S. No. 22, Sub-Div. Nos. 4,3,2, & 1 S. No. 21, Sub-Div. No. 39,28,27,25,24,19,18,15,15,14,13, 10 & 8. S. No. 25, Sub. Div. No. 17, 16, 15 & 13 and 11.						
East: 92/5,22/4,22/1,22/28,25/18.						
West: Road, 21/39,21/7,25/10.						
Total						405.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Revenue-I).

Panaji, 7th December, 1982.

Notification

No. 22/133/82-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the

"said land") is likely to be needed for public purpose viz. For Development of Sports Complex at Maem.

And Whereas in the opinion of the Government the provisions of sub-section (1) of Section 17 of the Land Acquisition Act, 1894 (hereinafter referred to as the said Act) are applicable.

Therefore the Government is pleased to notify under sub-section (1) of Section (4) of the Land Acquisition Act, 1894 (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

The Government is pleased to direct under sub-section (4) of Section 17 of the said Act that the provisions of Section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect

under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Deputy Collector, Goa North Division, Panaji, to perform the functions of a Collector under the said Act, in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Deputy Collector, Goa North Division, Panaji.
3. The Director of Sports & Cultural Affairs, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector, Goa North Division, Panaji from the date of this Notification.

SCHEDULE

(Description of the said land)

Taluka	Village	Plot No.	Survey No.	Name of the person believed to be interested	Approximate area in sq. mts.
1	2	3	4	5	6
Bicholim	Maem	—	162 (part)	Custodian Evacuee Property.	74600.00
Boundaries: North: Road and S. No. 162 part. South: Survey No. 162 part. East: Road. West: Road and S. No. 162 part.					
Total					74600.00

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Revenue-I).

Panaji, 30th November, 1982.

Corrigendum

No. 22/130/82-RD

Read:—1) Notification u/s 4 dated 30-10-82 published in the Official Gazette dated 31-10-1982, No. 31, Series II, page 411.

2) Notification u/s 6 dated 6-11-82 published in the Official Gazette dated 8-11-82, No. 32, Series II pages 429-434.

The last line of para one of the above Notifications should be read as "(Phase III)" instead of "PART III".

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

L. J. Menezes Pais, Under Secretary (Rev. — I).

Panaji, 25th November, 1982.

Industries and Labour Department

Order

No. 2/24/82-ILD

On the recommendation of Departmental Promotion Committee Shri T. R. Raman, Assistant Engineer (Elect.) is granted proforma promotion to the post of Executive Engineer (Elect.) on purely ad-hoc basis with effect from 5-11-1979.

2. Shri Raman will not, however, be entitled to draw pay and allowances in the grade of Executive Engineer during the period he was on deputation to Libya.

3. The proforma promotion will not bestow on Shri Raman a claim for regular appointment and the services rendered on ad-hoc basis in the grade would not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher grade.

4. Consequent upon his repatriation by the Bengazi Electricity Corporation, Libya, Shri Raman stands posted in the Electrical Division II (Stores and Workshop) Margao with effect from 13-10-1980.

This Order supersedes earlier Order No. ILD-4754-78 dated 13th October, 1980.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 27th November, 1982.

Order

No. 3/43/79-ILD

The appointment of Shri V. P. Suri, the Director of Industries and Mines as the Director of Economic Development Corporation of Goa, Daman and Diu made vide Government Order No. 3/43/79-ILD dated 19th July, 1982 read with Government Order No. 3/43/79-ILD dated 31st August, 1982 is hereby withdrawn.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 27th November, 1982.

Order

No. 2/77/80-ILD

On the recommendation of the Departmental Promotion Committee, Shri S. D. Kulkarni, Junior Engineer (Civil) in the Electricity Department, is hereby promoted on ad-hoc basis to the post of Assistant Engineer (Civil), in the pay scale of Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200, with immediate effect. Shri Kulkarni is posted in Division III, Ponda.

The above promotion will not bestow on Shri Kulkarni, a claim for regular appointment and the service rendered on ad-hoc basis in the grade would not count for the purpose of seniority in that grade and for eligibility for promotion to the next higher grade.

By order and in the name of the Administrator of Goa, Daman and Diu:

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 27th November, 1982.

Order

No. 28/2/79-ILD

The following Awards given by the Industrial Tribunal, Goa, Daman and Diu are hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

- i) Reference No. LCC/27/82
- ii) Application No. LCC/1/80

By order and in the name of the Administrator of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 16th November, 1982.

IN THE LABOUR COURT GOA, DAMAN AND DIU, PANAJI-GOA

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Application No. LCC/1/80

1 Mr. Pedro Minguel Colaco — Applicant

V/s.

1 M/s. Marzook & Cadar Pvt. Ltd. — Opponent

Applicant represented by Shri George Vaz, Gen. Secretary, Goa Trade & Commercial Workers' Union.

Opponent represented by Adv. H. R. Bharne.

Panaji. Dated: 3-11-1982.

AWARD

This is an application under Section 33C(2) of the I.D.A., 1947, hereinafter briefly called the Act, filed by the above applicant against the above opponent, claiming from the latter the total amount of Rs. 30,081/-, as per the details given in the annexure to the application.

2. The Opponent, in its written statement, has denied the applicant's claim stating, in short, that, at the time of resignation of the applicant, it was agreed between the parties that an amount of Rs. 11,000/- would be paid to the applicant towards full and final settlement of his claim and, accordingly, this amount was paid to the applicant by cheque dated 8-5-1976. Regarding gratuity, it is alleged that the applicant is not entitled to it.

3. In his rejoinder, the applicant has stated that the amount of Rs. 11,000/- received by him is only as part clearance of his salary dues. As he does not know English and the contents of the voucher were not explained to him, he thought that the voucher prepared was only to the effect that he had received an amount of Rs. 11,000/- and nothing else.

4. The following issues were framed by the Court:

- "1) Does the Applicant prove that he is entitled to receive from the Opponent by way of Wages Rs. 27,281/- and Rs. 2,800/- of Gratuity after deducting Rs. 11,000/- which he already received?
- 2) Does the Opponent prove that all dues of the Applicant have been settled by way of Agreement and in view of this Agreement the Applicant is deemed to have waived any further claim against the Opponent?
- 3) Does the Applicant prove that the writing given and signed by him on 8-4-76 on the reverse of the Voucher does not prevent him from claiming the rest of the dues or that by such writing he did not forego any further claim to which he is entitled to receive from the Opponent?
- 4) Does the Opponent prove that from 13-2-1966 date when all the Barge Crew was retrenched and the Applicant continued in services, he had no work to do, and, therefore, he accepted the amount of Rs. 11,000/- in full and final settlement of all his claim?
- 5) Does the Applicant prove that deductions for Provident Fund and Family Pension were made from his salary and that such deductions has not been taken into consideration?
- 6) Does the Opponent prove that the Applicant is not entitled to any Gratuity?
- 6A) Does the Opponent prove that the applicant's claim from 1962 onwards is grossly belated and not in good faith and, therefore, barred by limitation or at least a part of it?
- 7) Does the Applicant prove that he does not know English and the content of the writing dated 8-4-1976 were not explained to him and he was under the impression that the voucher was only a simple voucher of having received an amount of Rs. 11,000/-?"

5. When the evidence started and the applicant was already examined in chief, the applicant's wife brought to the notice of the Court the demise of the applicant occurred on 9-3-1982 and prayed that the application filed by the deceased be proceeded with the heirs, whose names she gave in the application. She also filed alongwith the application, the Death Certificate of the applicant.

Heard on this application the opponent and the heirs of the deceased, the Opponent's representative objected to the bringing on record of the said heirs, on the ground that, under Section 33C(2) of the Act, the heirs have no Locus Standi to proceed with the application filed by the deceased.

6. I have heard the arguments advanced by the Ld. Rep. of the Opponent and I fully agree with the view supported by him. I should say that there is a difference of opinion among various High Courts on the point as to whether an application under Section 33C(2) filed by the workman can, after his death, be continued by his heirs. A Division Bench of the Delhi High Court in Yadram V/s. B. Singh, reported in LIC 1974 page 970 has held that since such application has to be made by the workman himself, it follows that his heirs, successors and the legal representative cannot continue it in the Labour Court because the Labour Court cannot recognize anybody other than the workman as the applicant before him. The bench, however, observed that the right to sue survives to the heirs, successors and legal representative of the workman who can take appropriate procedure by way of a suit in the Civil Court, although they cannot proceed with the application under Section 33C(2) of the Act. This view was followed by a Division Bench of the Orissa High Court in Harshmani Naik V/s. Management, reported in 1978 LIC 1680 and Allahabad High Court in U.P. Electric Supply Company Limited V/s. Meena Chatterjee and others, reported in FGR 1969 Vol. 36 page 308.

A contrary view, however, was held by a Division Bench of the Bombay High Court in Sitabai V/s. Auto Engineers, reported in 1972 LIC 733, where the court held that the widow of the deceased workman could maintain an application under Section 33C(2) of the Act.

7. The reasoning of the Allahabad High Court Ruling appears to me to be more sound than the one of the other

Rulings quoted above. I am particularly impressed by the fact that the Legislature has used different language while dealing with the cases of Sub-Rule 1 or Sub-Rule 2 of Section 33C of the Act. Indeed, while sub-Section (1) in clear terms allows the workman as well as his heirs and assigns to apply for relief, sub-section 2 refers only to the workman, being silent about his heirs. This would go to show that the intention of the legislature was to treat differently the workmen according to the circumstances of sub-section 1 or sub-section 2 of Section 33C of the Act, perhaps having regard to the fact that, in the case of sub-section 1 only the computed benefit is to be recovered, while in the case of sub-section 2 the court has to adjudicate on the computation of the benefit. Such differential treatment is also obvious from the fact that limitation has been provided in the case of sub-section 1 but not in the case of sub-section 2.

For all the reasons mentioned in the above ruling of the Allahabad High Court with which I concur, I hold that under Section 33C(2) of the Act the heirs of the deceased workman cannot be brought on the record to proceed with the application filed by him. In the premises above, I pass the following order:

ORDER

In view of the death of the applicant workman, this application cannot survive, as there is no provision under Section 33C(2) of the Act, to continue it with the heirs of the deceased, contrary to what happens under Section 33C(1) of the Act. Hence, this application is disposed off. Each party to bear its own costs.

Dr. Renato de Noronha
Presiding Officer,
Labour Court.

IN THE LABOUR COURT GOA, DAMAN & DIU, PANAJI GOA.

(Before Dr. Renato de Noronha, Hon'ble Presiding Officer)

Reference No. LCC/27/82.

1. Shri Francis Vaz — Applicant
V/s.
1. M/s. M.S.B. Caculo — Opponent
Opponents represented by Shri R. V. Gaitonde, Labour Consultant.

Panaji. Dated: 5-11-1982.

AWARD

This is an application under Section 33C(2) of the I.D.A. 1947 filed by the above applicant against the above opponent

claiming from the latter the total amount of Rs. 390/- for the period from April 1980 to March 1982.

2. It is his case that he was working as a Radio Mechanic for the Opponent from 16-4-1978 and his services were terminated on 30-4-1981. His last salary drawn was Rs. 325/-. He is entitled to bonus at the rate of 8.33 percent for one year plus Rs. 65/- of the month of April 1981 (Bonus of the year 81-82), totalling Rs. 390/-.

3. The Opponent, in its written statement, has challenged the applicant's claim on the ground that, in view of the settlement dated 24-6-1981 signed before the Asstt. Labour Commissioner, the opponent has paid to the applicant Rs. 1,121/- towards full and final settlement of all his dues and the applicant has stated in the said settlement that he did not have any claim of whatsoever nature against the opponent.

4. In his rejoinder, the applicant states that in the above settlement the payment of bonus was not included, as the Asstt. Labour Commissioner and Shri Dalvi, Opponent's Rep., agreed that bonus could only be paid at a later stage, in November.

5. Following issues were framed by the Court:

- "1. Whether the applicant proves that he is entitled to the amount claimed?
2. Whether the Opponent proves that, by virtue of the settlement dated 22-6-1981, the applicant is not entitled to claim from the Opponent any further amount?"

6. The applicant led his own evidence and the Opponent did not lead any evidence, except cross-examine the applicant.

7. From the cross-examination of the applicant and the exhibits produced, it is clear that the claim for bonus now made by the applicant was also subject matter of the dispute before the Asstt. Labour Commissioner at the time of settlement dated 24-6-81 (Exh. E-2) and since the applicant has received Rs. 1,121/- in full and final settlement of all his dues, as stated in clause 2 of the settlement, and that he shall have no claim of whatsoever nature against the opponent, his contention now that the bonus matter was not covered by the settlement because the opponent said that the bonus is paid only in the month of November has no basis at all. The applicant also has not led any evidence to prove the said contention.

8. In the premises, I pass the following Order:

ORDER

The application is dismissed. In the circumstances of the case, I leave each party to bear its own costs.

Dr. Renato de Noronha
Presiding Officer,
Labour Court.

Finance Department (Expenditure)

Order

No. 6/12/78-Fin(Exp.)

On the recommendations of the Departmental Promotion Committee, the Administrator of Goa, Daman and Diu is pleased to order promotions of the following Accountants of the Common Accounts Cadre to the grade of Assistant

Accounts Officer in the pay scale of Rs. 550-25-750-EB-30-900 from the date of their taking charge and post them in the vacancies indicated against their names. They will be on probation for a period of two years in the first instance.

Sr. No.	Name	Present posting	Posted as
1.	Shri A. V. Naik	Office of the Assistant Director of Panchayat, Panaji.	Directorate of Accounts in the vacancy caused by retirement of Shri R. A. Camotim.
2.	Shri A. P. Crasto	Div. XII, Irrigation Department, Margao.	College of Architecture, Farmagudi in the newly created vacancy.
3.	Shri Mohan Rivonkar	Electricity Department, Panaji.	Directorate of Accounts, Panaji in the vacancy caused by retirement of Shri J. P. Varella.

Sr. No.	Name	Present posting	Posted as
4.	Shri C. A. D'Souza	Irrigation Department, Duller-Mapusa.	Directorate of Accounts in the vacancy caused by retirement of Shri V. V. Nalk.
5.	Shri Rajan Kunkalienkar	Khadi Bhavan, Panaji.	Office of the Inspector General of Police, Panaji against the vacancy of Shri P. N. Valdia, A. A. O. on deputation to Housing Board.
6.	Shri Prakash Walke	Div. IV, Electricity Department, Margao.	Directorate of Accounts in the vacancy caused by promotion of Shri V. V. Nalk, A. A. O.
7.	Shri Luis J. M. Pedro	Public Works Department, Div. XIV, Margao.	Directorate of Accounts in the vacancy caused by promotion of Shri Jayant Nigalye, A. A. O.
8.	Shri Pramod Ramanim	Directorate of Accounts, Panaji.	Directorate of Accounts in the vacancy caused by promotion of Shri Naresh Sardesai, A. A. O.
9.	Shri Tommy D'Cruz	Directorate of Civil Supplies Department, Panaji.	Directorate of Accounts in the vacancy caused by deputation of Shri I. S. Patel, A. A. O. to Dadra and Nagar Haveli Administration.

By order and in the name of the Administrator of Goa, Daman and Diu.

K. B. Verekar, Under Secretary (Finance).

Panaji, 27th November, 1982.

Corrigendum

No. 2-20-77/Fin(Exp.)

Read: Order No. 2-20-77/Fin(Exp.) dated 8th June, 1982.

The second para of the above order shall be read as follows:—

"Shri P. V. Dangui, Assistant Accounts Officer, working in the River Navigation Department is appointed to the post of Administrative-Cum-Accounts Officer, in addition to his own duties till alternative arrangements are made".

By order and in the name of the Administrator of Goa, Daman and Diu.

K. B. Verekar, Under Secretary (Finance).

Panaji, 2nd December, 1982.

Finance Department (Revenue and Control)

Notification

No. 3/2/82-Fin (R&C)

In exercise of the powers conferred by sub-section (3) of section 5 of the Goa, Daman and Diu Entertainment Tax Act, 1964, Government is pleased to exempt from the payment of Entertainment Tax for a period from 30-7-1982 to 30-6-83 the tickets issued for screening of the film "Bin Maa Ke Bachay" throughout the Union Territory of Goa, Daman and Diu to Ahuja Films, Motion Picture Distributors, Bombay, subject to the following condition:—

(1) The rate of admission tickets shall be reduced to the extent of entertainment duty payable in each admission ticket.

(2) The proprietor shall maintain separate accounts regarding the tickets issued and submit them to the Commissioner of Entertainment Tax, Panaji, within one month after screening the last show of the film, at each place.

(3) This order shall be exhibited in a prominent position at the public entrance to the place of entertainment at the time the public are admitted during the entertainment.

(4) This notification is effective for a period from 30-7-1982 to 30-6-1983.

By order and in the name of the Administrator of Goa, Daman and Diu.

Subhash V. Elekar, Under Secretary (Finance).

Panaji, 4th November, 1982.

Law Department (Legal Advice)

Notification

No. 10/12/82-LGL

The following Notification received from the Government of India, Ministry of Law, Justice and Company Affairs (Department of Justice) New Delhi, is hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 19th November, 1982.

No. 26/3/82-Jus.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LAW, JUSTICE & COMPANY AFFAIRS

Department of Justice

New Delhi, the October, 1982

Notification

In pursuance of sub-section (2) of section 15 of the Contempt of Courts Act, 1971 (70 of 1971), the Central Government hereby specifies that Shri Joaquim Dias, Government Advocate to the Government of Goa, Daman and Diu to be the Law Officer for the purposes of the said sub-section, in relation to the Union territory of Goa, Daman and Diu.

Sd/-

S. K. SHARMA

Deputy Secy. to the Govt. of India.

Law Department (Establishment)

Order

Notification by the High Court of Judicature,
Appellate Side, Bombay

No. A.1202/82

I

The Honourable the Chief Justice and Judges are pleased to grant Shri Eurico Santana Da Silva, District and Sessions Judge, South Goa, Margao, provisionally earned leave for 15 days from 8th December 1982 to 22nd December 1982.

On return from leave Shri Da Silva is reported as District and Sessions Judge, South Goa, Margao.

II

Shri Antonio O. Pinto Soares, Additional Sessions Judge and Civil Judge (Senior Division) Margao, is kept in charge of the post of the District and Sessions Judge, South Goa, Margao, in addition to his own duties, during the leave period of Shri Da Silva.

S. N. Khatri, Registrar.

High Court, Appellate Side,
Bombay, 3rd December 1982.

No. 1-17-82/LD

Read: Order No. 1-17-82/LD dated 2-12-1982.

In exercise of the powers conferred by sub-section (1) of section 25 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Administrator of Goa, Daman and Diu hereby appoints the undermentioned persons as Assistant Public Prosecutors with immediate effect and until further orders.

1. Kum. Shoba B. Kakodkar.
2. Shri Francisco Tavora.
3. Shri Pramod Shantaram Hede.
4. Shri Vijay J. Gaycar.
5. Shri S. M. Sanzgiri.

By order and in the name of the Administrator of Goa,
Daman and Diu.

R. V. Durbhatkar, Under Secretary (Law).

Panaji, 2nd December, 1982.